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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,183	02/13/2001	Stephan P. Capps	MCS-058-00	7809

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EXAMINER
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CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/681,183	CAPPS, STEPHAN P.
Examiner	Art Unit	
Chongshan Chen	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_ .
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- 4) Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-50 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application):
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 11, 24-25 and 35-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang [6,038,333].

As per claim 1, Wang discloses a system for automatically alerting a user to available information comprising:

parsing an electronic document to identify data representing any person (Wang, col. 2, lines 36-45, “A face analysis system is then coupled to the image capturing system and the image database to locate and retrieve the person-identifying data of any stored face image similar to the input face image from the image database. The face analysis system does this by, for example, extracting the face feature data of the input face image and comparing the face feature data of the input face image and comparing the face feature data of the input face image with that of each of the face images stored in the database”, col. 5, lines 5-45, “the input/out system may also include a digital camera that captures the input face image. The digital camera may be replaced, for example, with a scanner...the display is a touch sensitive screen display that allows text and/or graphics input”);

identifying at least one person represented by the identified data; retrieving information relating to each identified person from at least one electronic database (Wang, col. 2, lines 46-57, “a method of retrieving person-identifying information from a face image database on an input face image includes the step of extracting face feature data from the input face image. The face feature data of the input face image is then compared with that of a number of face images stored in the database. Each of the stored face images includes the person-identifying information that identifies the respective face image. If the face feature data of one of the stored face images matches that of the input face image, then the person-identifying information of that stored face image is retrieved from the image database to identify the input face image”); and notifying the user that the retrieved information is available (Wang, Fig. 1, 4 & 5, To/From User Interface).

As per claim 2, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses providing at least one communication access point related to the retrieved information (Wang, Fig. 1, 4, & 5).

As per claim 3, Wang teaches all the claimed subject matters as discussed in claim 2, and further discloses each communication access point provides the user with an access point for initiating communication with each identified person (Wang, Fig. 5, col. 4, lines 28-40).

As per claim 4, Wang teaches all the claimed subject matters as discussed in claim 3, and further discloses the at least one access point for initiating communication include, any of an email address, an instant messaging account, a telephone number, a fax number, a physical address, and an Internet address for communicating with the identified person (Wang, col. 4, lines 28-40).

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As per claim 5, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses parsing an electronic document to identify data representing any person comprises identifying textual data associated with any person (Wang, col. 4, lines 28-29).

As per claim 6, Wang teaches all the claimed subject matters as discussed in claim 5, and further discloses the textual data associated with any person includes any of: a name, an email address, a telephone number, a fax number, and a social security number (Wang, col. 4, lines 28-40).

As per claim 7, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses parsing an electronic document to identify data representing any person comprises identifying graphical data associated with any person (Wang, Fig. 3A, col. 4, lines 28-29).

As per claim 8, Wang teaches all the claimed subject matters as discussed in claim 7, and further discloses the graphical data associated with any person includes any image for representing at least one person (Wang, Fig. 3A, col. 4, lines 28-40).

As per claim 9, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses identifying at least one person represented by the identified data comprises comparing the identified data to information in at least one electronic database to identify each person associated with the identified data (Wang, col. 2, lines 36-57).

As per claim 11, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses providing a visible alert when the information is retrieved from the at least one electronic database (Wang, Fig. 5).

Claim 24 is rejected on grounds corresponding to the reasons given above for claim 1.

As per claim 25, Wang teaches all the claimed subject matters as discussed in claim 24, and further discloses viewing the retrieved information; and initiating communications with the identified person via at least one communication access point (Wang, Fig. 5).

As per claim 35, Wang teaches all the claimed subject matters as discussed in claim 24, and further discloses at least one communication access point for initiating communications with each identified person (Wang, Fig. 4 – 5).

As per claim 36, Wang teaches all the claimed subject matters as discussed in claim 24, and further discloses identifying each person represented by the identified information comprises comparing the identified information to data in at least one electronic database (Wang, Fig. 4 – 5, col. 2, lines 37-57).

3. Claims 37-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Garland et al. (“Garland”, Pub. No.: US 2002/0023067 A1].

As per claim 37, Garland discloses a computer-readable medium having computer executable instructions for dynamically modifying an electronic document rendered on a computer display device, said computer executable instructions comprising:

detecting any information in the electronic document that represents at least one person; identifying each person based on a comparison of the detected information to data in at least one electronic database; retrieving data related to each identified person from at least one electronic database; and dynamically modifying the electronic document by changing the appearance of the electronic document for alerting a user that data related to each identified person has been retrieved (Garland, Fig. 5A – 5F, page 2, [0016]).

As per claim 38, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses detecting any information in the electronic document that represents at least one person comprises identifying any data associated with any person (Garland, page 2, [0016]).

As per claim 39, Garland teaches all the claimed subject matters as discussed in claim 38, and further discloses identifying any data associated with any person comprises identifying characteristics of at least one image within the electronic document using at least one image recognition technique (Garland, Fig. 5A – 5F).

As per claim 40, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses retrieving data related to each identified person from at least one electronic database comprises retrieving any of personal data and contact information from the at least one electronic database (Garland, Fig. 5A – 5F).

As per claim 41, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses dynamically modifying the electronic document comprises changing the appearance of any text associated with the detected information (Garland, Fig. 5A – 5F, page 2, [0016]).

As per claim 42, Garland teaches all the claimed subject matters as discussed in claim 41, and further discloses changing the appearance of any text associated with the detected information further comprises associating at least one hyperlink with the text associated with the detected information (Garland, Fig. 5A – 5F & 6A).

As per claim 43, Garland teaches all the claimed subject matters as discussed in claim 42, and further discloses the at least one hyperlink includes at least one link to the retrieved data (Garland, Fig. 5A – 5F & 6A).

As per claim 44, Garland teaches all the claimed subject matters as discussed in claim 43, and further discloses at least one link to the retrieved data includes at least one communication access point for initiating at least one communication with each identified person (Garland, Fig. 5A – 5F).

As per claim 45, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses dynamically modifying the electronic document comprises changing the appearance of any image associated with the detected information and by associating at least one hyperlink with each image (Garland, Fig. 5A – 5F).

As per claim 46, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses dynamically modifying the electronic document comprises automatically adding at least one presence indicator to the electronic document in association with the detected information (Garland, Fig. 5A – 5F).

As per claim 47, Garland teaches all the claimed subject matters as discussed in claim 46, and further discloses each presence indicator further comprises an associated pop-up window for providing the retrieved information to a user (Garland, Fig. 5A – 5F).

As per claim 48, Garland teaches all the claimed subject matters as discussed in claim 46, and further discloses each presence indicator further comprises an associated context-sensitive menu for providing the retrieved information to a user (Garland, Fig. 5A – 5F).

As per claim 49, Garland teaches all the claimed subject matters as discussed in claim 46, and further discloses each presence indicator further comprises automatically indicating an online status of each identified person (Garland, Fig. 5A – 5F).

As per claim 50, Garland teaches all the claimed subject matters as discussed in claim 37, and further discloses user interface for interacting with the retrieved data (Garland, Fig. 5A – 5F).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10, 12 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang [6,038,333].

As per claim 10, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses providing a visible alert when the information is retrieved from the at least one electronic database (Wang, Fig. 5). Wang does not explicitly disclose providing an audible alert when the information is retrieved from the at least one electronic database. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an audible alert in order to reminder the user the information is retrieved.

As per claim 12, Wang teaches all the claimed subject matters as discussed in claim 1, and further discloses providing a visible alert when the information is retrieved from the at least one electronic database (Wang, Fig. 5). Wang does not explicitly disclose providing an audible alert when the information is retrieved from the at least one electronic database. However, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an audible and visible alert in order to reminder the user the information is retrieved.

As per claim 16, Wang teaches all the claimed subject matters as discussed in claim 11, and further discloses identified data includes the contact information (Wang, col. 4, lines 27-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a presence indicator to the electronic document in order to contact the identified person.

As per claim 17, Wang teaches all the claimed subject matters as discussed in claim 16, except for explicitly disclosing querying at least one messaging account server for each identified person. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to querying at least one messaging account server for each identified person in order to determining online status for each identified person.

As per claim 18, Wang teaches all the claimed subject matters as discussed in claim 17, and further discloses each presence indicator graphically represents the online status of each identified person (Wang, Fig. 4 – 5).

As per claim 19, Wang teaches all the claimed subject matters as discussed in claim 18, except for explicitly disclosing the graphical representation of the online status of each identified person is automatically updated by re-querying the at least one messaging account server for each identified person. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to re-querying messaging account server in order to update the online status of the identified person.

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6. Claims 13-15, 20-23 and 26-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang [6,038,333] in view of Garland et al. [“Garland”, Pub. No.: US 2002/0023067 A1].

As per claim 13, Wang teaches all the claimed subject matters as discussed in claim 11, except for explicitly disclosing the visible alert comprises dynamically modifying the appearance of the electronic document. Garland discloses the visible alert comprises dynamically modifying the appearance of the electronic document by adding associated records indicators into the electronic document (Garland, Fig. 5A-5F & 6A, page 2, [0016]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Garland with Wang in order to link all the associated information to the electronic document.

As per claim 14, Wang and Garland teach all the claimed subject matters as discussed in claim 13, and further discloses dynamically modifying the appearance of the electronic document comprises changing the appearance of the identified data (Garland, Fig. 5A-5F & 6A, page 2, [0016]).

As per claim 15, Wang and Garland teach all the claimed subject matters as discussed in claim 14, and further discloses dynamically modifying the appearance of the electronic document further comprises automatically associating at least one hyperlink with the identified data (Garland, Fig. 5A-5F & 6A, page 2, [0016]).

As per claim 20, Wang and Garland teach all the claimed subject matters as discussed in claim 1, and further discloses a graphical user interface for interacting with the retrieved information (Garland, Fig. 5A).

As per claim 21, Wang and Garland teach all the claimed subject matters as discussed in claim 20, and further discloses the graphical user interface comprises at least one pop-up window for displaying the retrieved information for each identified person (Garland, Fig. 5B).

As per claim 22, Wang and Garland teach all the claimed subject matters as discussed in claim 20, and further discloses the graphical user interface comprises at least one context-sensitive menu for interacting with the retrieved information for each identified person (Garland, Fig. 5A).

As per claim 23, Wang and Garland teach all the claimed subject matters as discussed in claim 20, and further discloses the graphical user interface comprises at least one hyperlink for accessing the retrieved information for each identified person via a computer pointing device (Garland, Fig 5A – 5F & 6A – 6B).

As per claim 26, Wang teaches all the claimed subject matters as discussed in claim 24, except for explicitly disclosing providing an alert comprises dynamically modifying the electronic data being rendered on the computer display device. Garland discloses providing alert comprises dynamically modifying the appearance of the electronic document by adding associated records indicators into the electronic document (Garland, Fig. 5A-5F & 6A, page 2, [0016]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Garland with Wang in order to link all the associated information to the electronic document.

As per claim 27, Wang and Garland teach all the claimed subject matters as discussed in claim 26, and further discloses dynamically modifying the electronic data rendered on the

computer display device comprises automatically changing the appearance of textual information representing the identified information (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 28, Wang and Garland teach all the claimed subject matters as discussed in claim 27, and further discloses dynamically modifying the electronic data rendered on the computer display device further comprises automatically associating at least one hyperlink with the textual information (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 29, Wang and Garland teach all the claimed subject matters as discussed in claim 26, and further discloses dynamically modifying the electronic data rendered on the computer display device comprises automatically changing the appearance of graphical information representing the identified information (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 30, Wang and Garland teach all the claimed subject matters as discussed in claim 29, and further discloses dynamically modifying the electronic data rendered on the computer display device further comprises automatically associating at least one hyperlink with the graphical information (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 31, Wang and Garland teach all the claimed subject matters as discussed in claim 26, and further discloses dynamically modifying the electronic data rendered on the computer display device comprises automatically adding at least one presence indicator to the electronic data (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 32, Wang and Garland teach all the claimed subject matters as discussed in claim 31, and further discloses each presence indicator further comprises an associated pop-up window for providing the retrieved information to a user (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 33, Wang and Garland teach all the claimed subject matters as discussed in claim 31, and further discloses each presence indicator further comprises an associated context-sensitive menu for providing the retrieved information to a user (Garland, Fig. 5A – 5F & 6A – 6B).

As per claim 34, Wang and Garland teach all the claimed subject matters as discussed in claim 31, and further discloses each presence indicator further comprises automatically indicating an online status of each identified person (Garland, Fig. 5A – 5F & 6A – 6B).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aravamudan et al. [6,301,609 B1] disclose a system enables the user to detect the online status of other people and send messages.

### *Inquires*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

CC

March 24, 2003

  
SHAHID AL ALAM  
PATENT EXAMINER